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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,085	10/29/2003	Naum Sapozhnikov		5942

7590

01/13/2005

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EXAMINER

MARCANTONI, PAUL D

ART UNIT

PAPER NUMBER

1755

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

UNITED STATES DEPARTMENT OF COMMERCE *h*

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Sapozhnikov

EXAMINER

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ART UNIT

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1/12/05

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Commissioner for Patents

The amendment filed on 11/15/04 canceling all claims drawn to the elected invention (original claims 1-5 directed to only concrete pavement) and presenting only claims (6-13) drawn to a non-elected invention (A process for design of concrete pavement and a process for estimation of capacity of airport pavement) is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because it is an entirely different statutory class of invention. Applicants now claim a process of design and a process for capacity estimation versus the original claims that were only directed to an airport pavement and not to any process (See original claims and compare to newly presented non-elected claims).

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

The applicants are also respectfully requested to submit a substitute specification with all changes (unmarked copy please) in their next response.

Inquiries regarding this communication may be made to Paul Marcantoni at 571-272-1373,

Paul Marcantoni
Primary Examiner
Art Unit: 1755